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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA

6:13-cr-00521-01-MC

v.

**STIPULATED ORDER FOR
RESTITUTION PAYMENTS AND
ORDER TO SEAL ATTACHMENTS**

BRYAN WILLIAM GRUETTER,

Defendant.

A judgment was entered in the above-referenced case on March 17, 2014, in the United States District Court, for the District of Oregon. Defendant was ordered to pay \$1,144,487.97, plus interest if so ordered. The current balance is \$1,145,469.66. Defendant stipulates, and the court so finds, based on defendant's completed financial statement, that defendant's financial circumstances establish his ability to make a minimum monthly payment of not less than \$200.00, commencing on June 1, 2021, and continuing each and every month thereafter until the

judgment is satisfied. The parties further stipulate and request that the court seal the attached financial statement.

The court hereby orders defendant to notify the United States Attorney's Office of any material change in economic circumstances that might affect the ability to pay restitution. In addition, defendant is further ordered to inform the United States Attorney's Office of any change in address or employment.

Defendant understands and agrees that, unless specifically excluded by this order, defendant's debt shall be perpetually placed in the Treasury Offset Program and any funds received pursuant to said program shall be in addition to, not in lieu of, the payments required by this agreement.

Nothing in this stipulated payment order precludes the United States from enforcing the full amount of the restitution judgment, as permitted by statute. Enforcement actions could include, but will not be limited to, the modification of monthly payments and/or garnishment of wages, seizure of any real or personal property that the defendant may have now or may acquire in the future, including but not limited to the following:

- 100% of all retirement accounts, including IRAs, 401Ks, Thrift Savings Plans, 529 college savings plans, and any other savings, retirement and bank accounts, and monthly distributions from said accounts, pursuant to 18 U.S.C. § 3613(a) and *U.S. v. Novak*, 476 F.3d 1041 (9th Cir. 2007).
- 100% of all funds due defendant subject to the government's collection by offset through the procedures set forth in the Treasury Offset Program pursuant to 31 U.S.C. §§ 3720A and 31 U.S.C. § 3716.
- 25% of all pensions and non-exempt disposable earnings payable to defendant subject to the procedures detailed in 28 U.S.C. § 3205 and 15 U.S.C. § 1671, et seq.
- 100% of all proceeds from the sale of real or personal property in excess of \$500 pursuant to 18 U.S.C. § 3613(a).

- 100% of the value of any whole life insurance policy or trust pursuant to 18 U.S.C. § 3613(a).
- 100% of the value of any gift or inheritance in excess of \$500 pursuant to 18 U.S.C. § 3613(a).
- 100% of any lottery or gambling winnings pursuant to 18 U.S.C. § 3613(a).
- 100% of the proceeds from the settlement of any lawsuit or claim pursuant to 18 U.S.C. § 3613(a).

If this stipulated payment order is not signed below by an attorney, defendant certifies that there is no attorney representation in this case. If there is attorney representation, the signature below signifies that both the debtor and his counsel agree that monthly statements can be mailed directly to defendant, without routing through or providing copies to counsel.

Further, the attached financial statement in support of this stipulated order shall remain under seal until further order of this court.

Dated: April 28th 2021.

s/Michael J. McShane
HONORABLE MICHAEL J. McSHANE
United States District Judge

Respectfully submitted,

SCOTT E. ASPHAUG
Acting United States Attorney

AUSA [Signature]
JESSIE D. YOUNG OSB #135246
Assistant United States Attorney

[Signature]
BRYAN W. GRUETTER, Defendant

None
Attorney for Defendant

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